

**IN THE UNITED STATES DISTRICT  
COURT FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**COAST TO COAST TITLE, LLC,  
SOL CITY TITLE, LLC, MAGNOLIA  
TITLE ARKANSAS, LLC, MAGNOLIA  
TITLE FLORIDA, LLC, THE PEABODY  
BULLDOG LLC, AND JOHN MAGNESS**  
*Plaintiffs*

**V.**

**TYRRELL L. GARTH, PHILLIP H. CLAYTON, DEBBIE MERRITT A/K/A DEBORAH MERRITT, MATTHEW D. HILL, P. GARRETT CLAYTON, SCOTT M. REEVES, ARIANE E. YOUNG, STARREX TITLE FLORIDA, LLC, LAURIE COOPER, MARKETSTREET CAPITAL PARTNERS AR, LLC, MARKETSTREET CAPITAL PARTNERS, LLC, AND BRIAN A. BREWER**

***Defendants.***

**CIVIL ACTION NO.:4:24-cv-02767**

**PLAINTIFF’S AGREED/UNOPPOSED MOTION TO EXTEND DEADLINE TO FILE  
SECOND AMENDED COMPLAINT AND MODIFY HEARING DATE**

Plaintiffs Coast to Coast Title, LLC, Sol City Title, LLC, Magnolia Title Arkansas, Ltd., and Magnolia Title Florida, LLC, The Peabody Bulldog, LLC, and John Magness (collectively “Plaintiffs”) file this Agreed/Unopposed Motion to Extend Deadline to File Second Amended Complaint and Modify Hearing Date, and states:

On February 3, 2025, the Court held an Initial Conference/Motion Hearing and entered a Minute Entry stating in part:

The plaintiffs will amend their complaint by 2/17/2025. The plaintiffs will also file a summary organizational chart of the claims asserted, showing which claims apply

to which parties, by 2/17/2025. Defendants Garth and Clayton will file a motion to dismiss by 3/14/2025. A hearing on the motion to dismiss is scheduled for 3/21/2025 at 02:00 PM in by video before Judge Lee H Rosenthal.

[Dkt. 57]

Plaintiffs' current deadline to file their Second Amended Complaint and a summary organizational chart of the claims asserted is February 17, 2025. Plaintiffs respectfully seek to extend this deadline from February 17, 2025 by five days to February 21, 2025. (Defendants Garth and Clayton's deadline to file a motion to dismiss is thus 21 days after Plaintiffs' new sought deadline to file.)

The hearing on the anticipated Motion to Dismiss is currently scheduled for March 21, 2025. Plaintiffs respectfully seek to modify and reschedule this hearing date to any of the following dates that are convenient for the Court (and currently available, as confirmed with the Acting Case Manager):

- a. April 7, 2025;
- b. April 8, 2025;
- c. April 9, 2025 (afternoon only); or
- d. April 10, 2025.

Defendants Laurie Cooper, Brian Brewer, Starrex Title Florida, LLC, MarketStreet Capital Partners, LLC, and MarketStreet Capital Partners AR, LLC are in agreement with the five-day extension of the deadline for Plaintiffs to file their Second Amended Complaint.

Defendants Tyrrell L. Garth and Phillip H. Clayton are not opposed to the five-day extension nor the rescheduling of the hearing on the Motion to Dismiss.

The request is not being made for purposes of delay, but so that justice may be done. Counsel for Plaintiff approves of this request.

Dated: February 12, 2025

Respectfully submitted,

**HENDERSHOT COWART P.C.**

By: /s/ Philip D. Racusin

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**ATTORNEYS FOR PLAINTIFFS COAST TO COAST  
TITLE, LLC, SOL CITY TITLE, LLC, MAGNOLIA  
TITLE ARKANSAS, LLC, MAGNOLIA TITLE  
FLORIDA, LLC, THE PEABODY BULLDOG LLC  
AND JOHN MAGNESS**

**CERTIFICATE OF CONFERENCE**

On February 11, 2025, counsel for Plaintiffs conferred with counsel for Defendants. Counsel for Defendants Tyrrell L. Garth and Phillip H. Clayton stated that they are unopposed to the relief requested herein. Counsel for Defendants Laurie Cooper, Brian Brewer, Starrex Title Florida, LLC, MarketStreet Capital Partners, LLC, and MarketStreet Capital Partners AR, LLC stated that he was in agreement with the extension to move the deadline to file the Second Amended Complaint by five days, and did not express any position on the rescheduling of the hearing on Defendants Garth and Clayton's anticipated Motion to Dismiss Second Amended Complaint.

By: /s/ Philip D. Racusin

PHILIP D. RACUSIN

**CERTIFICATE OF SERVICE**

I hereby certify that on February 12, 2025, a copy of the foregoing document was served on all counsel of record via the Court's ECF system.

/s/ Philip D. Racusin

Philip D. Racusin